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UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

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PATENT NO.

6,863,688

APPLICATION NO. :

09/975,471

ISSUE DATE

March 8, 2005

INVENTOR(S)

James D. Ralph and Stephen Tatar

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page, section (63), after "2001", please insert the following--, which is a CIP of 09/968,046 filed on Oct. 1, 2001, now abandoned.--

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MAILING ADDRESS OF SENDER (Please do not use customer number below): Brian R. Tomkins LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313/1450.

Signature

Dated: November 13, 2008

(Brian R. Tomkins)

NOV 1 7 2008 W

Docket No.: SPINE 3.0-436 CIP CIP CIP I (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of: Ralph et al.

Patent No.: 6,863,688

Issued: March 8, 2005

FOR INTERVERTEBRAL SPACER DEVICE
: UTILIZING A SPIRALLY SLOTTED
BELLEVILLE WASHER HAVING RADIALLY
SPACED CONCENTRIC GROOVES

Certificate of Correction Branch Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR CERTIFICATE OF CORRECTION PURSUANT TO 37 CFR 1.323

Dear Sir:

Enclosed herewith is a Certificate of Correction with respect to the above-identified U.S. Patent. You are hereby authorized to charge Deposit Account No. 12-1095 in the amount of \$100 to cover the required fee for filing a Certificate of Correction under § 1.323.

These errors were inadvertent, occurred in good faith and do not involve any changes which constitute new matter.

11/18/2008 WABDELR1 00000010 121095 6863 31 FC:1811 100.00 DA We look forward to early return of the Certificate of Correction duly certified.

Dated: November 13, 2008

Respectfully submitted,

Brian R. Tomkins

Registration No.: 58,550 LERNER, DAVID, LITTENBERG,

KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 654-5000

Attorney for Applicant